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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/807,909 | 03/24/2004 | Sanjay Rekhi | 10002.003310 (CD3016) |

CONFIRMATION NO. 4004

FORMALITIES LETTER



OC000000012872801

Date Mailed: 06/04/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/27/2004 EFLURES 00000033 10807909

FILED UNDER 37 CFR 1.53(b)

| | |
|------------|-----------|
| 01 FC:1001 | //0.00 UP |
| 02 FC:1051 | 130.00 UP |

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
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 Alexandria VA 22313-1450

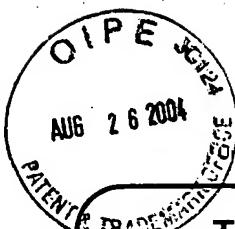
*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|----|------------------------|------------------------|
| | | Application Number | 10/807,909 |
| | | Filing Date | March 24, 2004 |
| | | First Named Inventor | Sanjay Rekhi |
| | | Art Unit | 2812 |
| | | Examiner Name | not yet known |
| Total Number of Pages in This Submission | 16 | Attorney Docket Number | 10002.003310 (CD03016) |

ENCLOSURES (check all that apply)

| | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Technology Center (TC) |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | Oath/Declaration & Declaration Supplemental Sheet (signed/copy); Power of Attorney; Copy of Notice to File Missing Parts of Nonprovisional Application; Return receipt postcard. |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

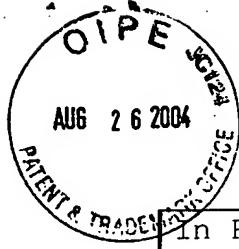
| | |
|-------------------------|---|
| Firm or Individual name | Patrick D. Benedicto, Reg No. 40,909 OKAMOTO & BENEDICTO LLP |
| Signature | |
| Date | August 23, 2004 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | | |
|-----------------------|----------------------|------|-----------------|
| Typed or printed name | Patrick D. Benedicto | | |
| Signature | | Date | August 23, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|--|--|
| In Re Application of: Sanjay Rekhi, et al. Serial No.: 10/807,909 Filing Date: March 24, 2004 Title: Protection of Integrated Circuit Gates During Metallization | Examiner: not yet known Art Unit: 2812 Atty. Docket No.: 10002.003310 (CD03016) |
|--|--|

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RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed **JUNE 4, 2004** for the above-identified patent application, enclosed are the following:

- A copy of the Notice to File Missing Parts of Nonprovisional Application;
- Power of Attorney;
- An original, signed Declaration;
- Payment in the amount of **\$1,010.00** for the filing, surcharge, and one-month extension fees;

//

08/27/2004 EFLORES 00000033 10807909

03 FC:1251 // 110.00 0P

PATENT

If the Examiner has any questions or needs additional information, the Examiner is invited to contact the undersigned attorney at (408) 436-2110.

Respectfully submitted,
Sanjay Rekhi, et al.

Dated: August 23, 2004

By: Patrick Benedicto
Patrick D. Benedicto
Attorney For Applicant
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San Jose, California 95164
(408) 436-2110
(408) 436-2114 (FAX)

Enclosure(s)

| CERTIFICATE OF MAILING | | | |
|--|--------------------------|--------|-----------------|
| I hereby certify that this correspondence, including the enclosures identified herein, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10. | | | |
| Signature: | <u>Patrick Benedicto</u> | | |
| Typed or Printed Name: | Patrick D. Benedicto | Dated: | August 23, 2004 |
| Express Mail Mailing Number (optional): | | | |